

REMARKS

This application has been reconsidered in light of the Office Action dated January 17, 2006, and the references cited therein. Applicant hereby requests reconsideration of the present application in view of the foregoing amendments.

For convenience of review the following paragraphs correspond to those objections and/or rejections set forth in the Office Action dated January 17, 2006:

Specification Objection

The disclosure is objected to because of the following informalities: On page 3, lines 22 and 24 "108" is recited but is not indicated in the drawings. It appears that the "108" that is recited should be --105--.

Accordingly, applicant has amended the specification to include the appropriate reference numeral --105-- in replacement of "108" to correct this inadvertent error, which was so kindly pointed out by the Examiner.

Allowable Claims

It is acknowledged with appreciation that Claims 6-7 and 13-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections – 35 USC § 102

Claims 1, 8, and 15-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Shimosaki (3,631,871). The appropriate paragraphs of the Office Action dated 01/17/2006 setting forth the basis of this rejection are as follows:

Shimosaki discloses an external governor spring bracket assembly for use in combination with a shaft mounted governor valve assembly in an automatic transmission, the governor valve assembly including a primary valve weight (4) and a secondary valve weight (19) disposed in opening and closing relation to a governor fluid outlet (9) (col. 2, line 73 to col. 3, line 2), the spring bracket (15) assembly comprising a compression spring (14) disposed in coaxial engagement with the primary valve weight and a governor spring bracket of conforming generally to an external surface of the governor valve assembly as seen in Figure 1 (col. 2, lines 20-48), wherein the bracket supports the compression spring in engagement with the primary governor weight, the compression spring urging the primary governor weight to a closed condition in relation to the governor fluid outlet thereby preventing excessive governor output pressure at low shaft speed (col. 2, lines 56-60).

Regarding claim 16, Shimosaki further discloses that there is a predetermined force for the spring (col. 2, line 73 to col. 3, line 8).

Regarding claim 17, Shimosaki further discloses that mechanical fasteners such as machine screws attach the bracket as seen in Figure 1.

Anticipation Standard

The Patent Office is respectfully reminded that the standard for lack of novelty, that is for "anticipation" under 35 U.S.C. § 102(b) is one of strict identity. There must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention. Scripps Clinic and Research Foundation v. Genetech, Inc., 18 U.S.P.Q. 2d 1001, 1010 (Fed. Cir. 1991).

Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. Lindemann Maschinenfabrik GmbH v. American Hoist and Derrick Company, 221 U.S.P.Q. 481, 485 (Fed. Cir. 1984).

Accordingly, applicant has amended Claims 1 and 8 to include the allowable subject matter of Claims 6 and 13 respectively to obviate the 102(b) rejection of Claims 1 and 8 set forth hereinabove. Further, Claim 15 has been amended to add a method step (also including the allowable limitations of Claims 6 and 13) to overcome the 102(b) rejection of method Claims 15-17.

Claim Rejections – 35 USC § 103

Claims 1, 8, and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Searles (3,642,014) in view of Shimosaki (3,631,871). The appropriate paragraphs of the Office Action dated January 17, 2006 setting forth the basis of this rejection are as follows:

Searles discloses a shaft mounted governor valve assembly in an automatic transmission (col. 2, lines 35-36), the governor valve assembly including a primary valve weight (46) and a secondary valve weight (60) disposed in opening and closing relation to a governor fluid outlet (18) comprising a compression spring (52) disposed in coaxial engagement with the primary valve weight as seen in Figure 1 (col. 2, line 55-65 and col. 3, lines 35-44). Searles does not disclose an external governor spring bracket assembly comprising a governor spring bracket conforming generally to an external surface of the governor valve assembly, wherein the bracket supports the compression spring in engagement with the primary governor weight, the compression spring urging the primary governor weight to a closed condition in relation to the governor fluid

outlet thereby preventing excessive governor output pressure at low shaft speed. Shimosaki discloses an external governor spring bracket assembly comprising a governor spring bracket (15) conforming generally to an external surface of the governor valve assembly, wherein the bracket supports the compression spring (14) in engagement with the primary governor weight (4) as seen in Fig. 1 (col. 1, lines 20-48), the compression spring urging the primary governor weight to a closed condition in relation to the governor fluid outlet thereby preventing excessive governor output pressure at low shaft speed (col. 2, lines 56-60).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the outside mounting bracket assembly of Shimosaki onto the spring retaining means of Searles, in order to allow for easier access to the interior of the governor valve assembly for maintenance purposes.

Regarding claim 16, Shimosaki further discloses that there is a predetermined force for the spring (col. 2, line 73 to col. 3, line 8).

Regarding claim 17, Shimosaki further discloses that mechanical fasteners such as machine screws attach the bracket as seen in Fig. 1.

Claims 2-5 and 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Searles-Shimosaki as applied to claim 1 and 8 above, and further in view of Ichimura (3,690,335). The appropriate paragraphs of the Office Action dated January 17, 2006 setting forth the basis of this rejection are as follows:

Searles-Shimosaki discloses all the features of the claimed invention except that a spring seat is formed in the bracket in coaxial alignment with the governor spring weight. Ichimura discloses a spring seat that is formed in a bracket in coaxial alignment with the governor spring weight.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to alter the spring bracket of Searles-Shimosaki that has an opening and is attached on the outside of the valve assembly to include a detent as disclosed by Ichimura, in order to provide a more secure seat for the spring.

Regarding claim 3, the governor spring bracket assembly is designed with a central relief aperture that provides clearance for the primary governor weight at the furthest extent of its travel (col. 3, lines 6-9).

Accordingly, it is respectfully submitted that applicant's amendment of Claims 1, 8, and 15 set forth hereinabove to include the allowable subject matter of Claims 6 and 13 respectively also obviates the 103(a) rejection of Claims 1, 8, and 15-17 based on the combination of the Searles-Shimosaki references. In addition, it is also submitted that the 103(a) rejection of applicant's Claims 2-5 (depending from amended Claim 1) and applicant's Claims 9-12 (depending from amended Claim 8) based on the combination of

the Searles-Shimosaki references, and further in view of the Ichimura reference is overcome.

For all the reasons given above, applicant respectfully submits that the application is now in full condition for allowance. Reconsideration and withdrawal of the rejections recited in the Office Action dated January 17, 2006 is requested. If any outstanding questions remain, a telephone call from the Examiner to the undersigned would be welcome.

Respectfully submitted,

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